

NINTH DAY.

Senate Chamber,
Austin, Texas,
January 21, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem., K. M. Regan.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Hughston.	Woodruff.
Martin.	
Moore.	

Absent—Excused.

Davis. Oneal.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Woodruff.

Committee Reports.

(See Appendix.)

Bills and Resolutions.**Senate Bill No. 112.**

By Senator Burns:

S. B. No. 112, A bill to be entitled "An Act amending Title 17, Chapter Six of the Penal Code of Texas of 1925 by adding thereto an article to be known as Art. 1404-a, defining unlawful entry of a vessel, steamboat or railroad car, making such unlawful entry a penal offense, providing the punishment therefor and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 113.

By Senator Burns:

S. B. No. 113, A bill to be entitled "An Act providing that the Board of Pardons and Paroles created by Chapter 45, Acts First Called Ses-

sion, Forty-first Legislature, shall hereafter sit and have their offices at Huntsville, Walker County, Texas; and declaring an emergency."

Read and referred to the Committee on Penitentiaries.

Senate Bill No. 114.

By Senators Duggan, Holbrook and Woodruff:

S. B. No. 114, A bill to be entitled "An Act amending Article 7319, Article 7320, Article 7321, Article 7323, Article 7324; providing for the transfer of tax liens and making said liens eligible for investment; amending Article 7329; inserting a new Article to be known as Article 7329-A, providing for the institution of suit by the owner of any real estate sold for taxes under provisions of this Act; amending Article 7330, Article 7283; providing for the appointment of a Deputy Delinquent Tax Collector; fixing his bond; providing for his compensation; providing that the provisions of this Act shall be available to cities, towns, and other taxing subdivisions; providing for the creation of a 'plat and ownership record'; providing for the vacation of the office of tax assessor and collector upon failure to carry out the provisions of this Act; containing a savings clause and repealing all laws or parts of laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 115.

By Senator Duggan:

S. B. No. 115, A bill to be entitled "An Act providing for payment of the salary of the Ex-officio Superintendent of Public Instruction in all counties having not less than three thousand, eight hundred fifty (3,850) and not more than three thousand nine hundred (3,900) population, according to the last preceding Federal census, from the county available school fund; prescribing the time when this Act shall take effect; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senate Bill No. 116.

By Senator Cotten:

S. B. No. 116, A bill to be entitled "An Act amending Section 5 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature; regulating license fees for the registration of motor cycles and passenger cars; reducing such license fees on passenger cars, and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

Senate Bill No. 117.

By Senator Neal:

S. B. No. 117, A bill to be entitled "An Act increasing the amount that may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in counties with a population of not less than 77,000, and not more than 77,600, according to the preceding Federal census; repealing all laws or parts of laws, General or Special, in conflict therewith, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

S. C. R. No. 5.

Senator Hornsby sent up the following resolution:

Whereas, The Llano Chamber of Commerce is to give a Barbecue Banquet in honor of the Forty-fourth Legislature on Saturday, January 26th, at the site of the unfinished Buchanan Dam; and,

Whereas, The said Llano Chamber of Commerce has extended a cordial invitation to all the members of the Forty-fourth Legislature, both Senate and House to be the honor guests on that occasion and have generously offered to furnish free transportation to all the members who desire it; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That we accept the invitation of the members of the Llano Chamber of Commerce to be their guests at said barbecue and express our appreciation and thanks for the consideration and courtesies extended by such invitation.

HORNSBY.

Read and adopted unanimously.

Senate Bill No. 118.

By Senator Small:

S. B. No. 118, A bill to be entitled "An Act to amend Section 4, S. B. No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and declaring an emergency."

Read and referred to the Committee on Educational Affairs

Senate Bill No. 119.

By Senators Poage, Westerfeld, Davis, Burns, and Shivers:

S. B. No. 119, A bill to be entitled "An Act to amend Article 1856 Revised Civil Statutes of Texas, so as to confine reversals or errors to substance and merit, by adding thereto certain provisos to the effect that the Courts of Civil Appeals shall not reverse a judgment for errors not calculated to cause and which probably did not cause rendition of an improper judgment, or probably prevented appellant from making a proper presentation of the case on appeal; and authorizing reversal only of part of matter in controversy where severable from other parts; and authorizing the appellate court to require the trial court to correct errors in certain cases; and authorizing allowance of amendments to pleadings in appellate court where this may be done without detriment to substantial rights of parties; and providing that invalidity of a part of this Act shall not invalidate any other part; and repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 120.

By Senators Poage, Westerfeld, Davis, Burns, and Shivers.

S. B. No. 120, A bill to be entitled "An Act amending Article 2189 of the Revised Civil Statutes of Texas, 1925, relating to special issues in civil cases; providing the court may submit cause upon such issues with or without request of either party, shall submit the cause upon special issues raised by the pleadings and the evidence; such special issues shall be submitted separately; providing the court shall not be required to submit affirmatively an issue which once has been fairly submitted negatively and the converse; providing that each issue shall be answered separately by the jury; providing that the court shall submit explanations and definitions of words and

legal terms; providing court shall not be required to define words and legal terms unless requested in writing by one of the parties; providing that the failure of the trial court to define legal terms used in the charge shall not be a ground for reversal unless it appears that before the case was submitted to the jury the complaining party prepared and tendered to the trial court a written charge properly defining such terms; providing if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 121.

By Senators Poage, Davis, Westersfeld, Burns, and Shivers:

S. B. No. 121, A bill to be entitled "An Act amending Article 2190 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-second Legislature, 1931, Chapter 78, Section 1, relating to special issues; providing that failure to submit an issue shall not be deemed ground to reverse a judgment unless submission is requested in writing by parties complaining thereof; providing that upon appeal of writ of error that an issue not submitted and not requested is deemed as found by the court in such manner as to support the judgment if the evidence sustains the finding, whether such omitted issue be a complete theory of recovery or defense, a complete ultimate issue or a subsidiary issue; providing that if any part of this Act is declared unconstitutional, it shall not affect the validity of the remainder, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 122.

By Senators Poage, Davis, Westersfeld, Burns, and Shivers:

S. B. No. 122, A bill to be entitled "An Act amending Articles 2203, 2204, 2205 and 2206 of the Revised Civil Statutes of Texas, 1925, relating to jury verdicts in civil cases; providing no special form of verdict is required; that arrests or reversals of judgment shall not be allowed for mere want of form of verdict; providing for a jury verdict in civil cases of nine concurring members in the district court and five concurring

members in the county court; providing that concurring jury members shall sign verdict; providing a jury verdict of nine members in the district court or of five in the county court in civil cases when one or more jurors may die or be disabled from sitting; providing for polling of the jury after they have reached a verdict; providing that the verdict shall be read aloud; providing that the entry of the verdict be made upon the minutes of the court; providing that either party shall have the right to poll the jury after verdict; providing the manner in which the jury shall be polled; providing that if as many as four jurors in the district court or two jurors in the county or justice court shall answer in the negative, the jury shall be retired for further deliberation; providing if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 123.

By Senators Poage, Davis, Westersfeld, Burns, and Shivers:

S. B. No. 123, A bill to be entitled "An Act amending Article 2424, Revised Civil Statutes of Texas, 1925, relating to juries in civil cases in justice courts; providing the number of jurors which may render a verdict; providing if any part of this Act is declared unconstitutional, it shall not affect the validity of the remainder, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 124.

By Senators Poage, Davis, Westersfeld, Burns, and Shivers:

S. B. No. 124, A bill to be entitled "An Act to amend Article 2207, Revised Statutes of Texas, 1925, relating to defective informal or conflicting verdicts; providing a court may reform verdicts at the bar; providing that if a verdict is not responsive to the issue or issues submitted, or if there be conflict in the findings of the jury, the court shall call their attention thereto and send them back for further deliberation; providing that if any part of this Act is declared unconstitutional, it shall not affect the validity of the remaining

portions of this Act, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 125.

By Senator Hornsby:

S. B. No. 125, A bill to be entitled "An Act providing for the authorizing of the county commissioners' court in each county of the State of Texas to purchase machine guns, submachine guns, riot guns, tear gas bombs and other paraphernalia of like character for the use of the sheriff, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 126.

By Senator Hornsby:

S. B. No. 126, A bill to be entitled "An Act to amend Article 1006, Code of Criminal Procedure of Texas, 1925, providing for the compensation of an officer or person executing a fugitive warrant beyond the limits of the State of Texas; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 127.

By Senator Hornsby:

S. B. No. 127, A bill to be entitled "An Act amending Section 4 of Article 1029 and Section 4 of Article 1030, Code of Criminal Procedure, 1925, providing compensation of the sheriff for removing or conveying prisoners; providing for the compensation of an officer in going beyond the limits of the State after a fugitive upon requisition of the Governor, providing for his compensation in going to and returning from the State line after such fugitive either with or without requisition; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 128.

By Senator Hornsby:

S. B. No. 128, A bill to be entitled "An Act amending Section 7 of Article 1029, Code of Criminal Procedure of Texas, 1925, and Section 7 of Article 1030, Code of Criminal Procedure of Texas, 1925, relating to fees of sheriffs or constables for conveying attached witnesses; prescrib-

ing compensation of traveling under an attachment issued out of the county of officer's residence; providing for compensation when traveling under an attachment issued out of a foreign county; providing the account of such officer shall show the place where such witnesses were attached, the distance to the nearest county seat, and miles actually traveled; and repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 129.

By Senator Hornsby:

S. B. No. 129, A bill to be entitled "An Act to amend Article 3892, Revised Civil Statutes of the State of Texas, 1925, as amended Acts 1930, Forty-first Legislature, Fourth Called Session, page 30, Chapter 20, Section 4; repealing all laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 130.

By Senator Regan:

S. B. No. 130, A bill to be entitled "An Act to amend Acts of 1927, Fortieth Legislature, First Called Session, Chapter 80, by adding thereto Section 9-A, providing for the levying of a tax annually against the property in each of the counties composing a road district composed of two or more counties, for the purpose of securing rights-of-way within such district for such highways as such districts were created to construct, maintain and operate or acquire, and for the maintenance of such district highways as are not maintained by the State as State Highways and declaring an emergency."

Read and referred to the Committee on Counties and County Boundaries.

S. J. R. No. 12.

Senator Moore sent up the following resolution:

By Moore. **S. J. R. No. 12.**

A JOINT RESOLUTION

Proposing an emendment to Section 22 of Article IV of the Constitu-

tion of the State of Texas, fixing the salary of the Attorney General at Ten Thousand (\$10,000.00) Dollars a year; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 22 of Article IV of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Section 22. The Attorney General shall hold office for two years and until his successor is duly qualified. He shall represent the State in all suits and pleas in the Supreme Court of the State in which the State may be a party, and shall especially inquire into the charter rights of all private corporations, and from time to time, in the name of the State, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power or demanding or collecting any species of taxes, tolls, freight or wharfage not authorized by law. He shall, whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law, and give legal advice in writing to the Governor and other executive officers, when requested by them, and perform such other duties as may be required by law. He shall reside at the seat of government during his continuance in office. He shall receive for his services an annual salary of Ten Thousand (\$10,000.00) Dollars, and no more."

Sec. 2. Said proposed Constitutional amendment shall be submitted to a vote of the qualified electors of this State at the next general election to be held throughout the State on the first Tuesday after the first Monday in November, 1936, at which election each voter opposing said proposed amendment shall scratch off of the ballot with a pen or a pencil the following words printed on said ballot: "For the amendment to the State Constitution fixing the salary of the Attorney General at Ten Thousand Dollars a year"; and each voter favoring said proposed amendment shall scratch off of the ballot in the same manner the words printed on said ballot: "Against the

amendment to the State Constitution fixing the salary of the Attorney General at Ten Thousand Dollars a year." If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and Laws of this State.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

Read and referred to the Committee on Constitutional Amendments.

S. J. R. No. 13.

Senator Moore sent up the following resolution:

By Moore.

S. J. R. No. 13.

A JOINT RESOLUTION

Proposing an amendment to Section 23 of Article IV of the Constitution of the State of Texas, fixing the salary of the Comptroller, Treasurer and the Commissioner of the General Land Office at Six Thousand (\$6,000.00) Dollars per annum; providing for its submission to voters of the State of Texas as required by the Constitution, and making appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 23 of Article IV of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Section 23. The Comptroller of Public Accounts, the Treasurer, and the Commissioner of the General Land Office shall each hold office for the term of two years and until his successor is qualified; receive an annual salary of Six Thousand \$6,000.00) Dollars, and no more; reside at the Capitol of the State during his continuance in office, and perform such duties as are or may be required by law. They and the Secretary of State shall not receive to

their own use any fees, costs or perquisites of office. All fees that may be payable by law for any service performed by any officer specified in this section, or in his office, shall be paid when received, into the State Treasury."

Sec. 2. Said proposed Constitutional amendment shall be submitted to a vote of the qualified electors of this State at the next general election to be held throughout the State on the first Tuesday after the first Monday in November, 1936, at which election each voter opposing said proposed amendment shall scratch off of the ballot with a pen or pencil the following words printed on said ballot: "For the amendment to the State Constitution fixing the salary of the Comptroller, Treasurer and Commissioner of the General Land Office at Six Thousand (\$6,000.00) Dollars per annum." And each voter favoring said proposed amendment shall scratch off of the ballot in the same manner the following words printed on said ballot: "Against the amendment to the State Constitution fixing the salary of the Comptroller, Treasurer and the Commissioner of the General Land Office at Six Thousand (\$6,000.00) Dollars per annum." If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and laws of this State.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

Read and referred to the Committee on Constitutional Amendments.

S. J. R. No. 14.

Senator Moore sent up the following resolution:

By Moore.

S. J. R. No. 14.

A JOINT RESOLUTION

Proposing an amendment to Section

5 of Article 4 of the Constitution of the State of Texas, fixing the Salary of the Governor; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 5 of Article 4 of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Section 5. The Governor shall, at stated times, receive as compensation for his services an annual salary of Twelve Thousand (\$12,000.00) Dollars and no more, and shall have the use and occupation of the Governor's Mansion, fixtures and furniture; provided that the amendment shall not become effective until the third Tuesday in January, 1937."

Sec. 2. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State on the first Tuesday after the first Monday in November, 1936, at which election all voters favoring said proposed amendment shall scratch off of the ballot with a pen or pencil the following words printed on said ballot: "Against the amendment to the Constitution of the State of Texas fixing the salary of the Governor." And those voters opposing said proposed amendment shall scratch off of the ballot in the same manner the words printed on said ballots: "For the amendment to the State Constitution fixing the salary of the Governor."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution for amendments thereto.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State of Texas not otherwise appropriated to pay the expense for such publication and election.

Read and referred to the Committee on Constitutional Amendments.

S. J. R. No. 15.

Senator Moore sent up the following resolution:

By Moore. S. J. R. No. 15.

A JOINT RESOLUTION

Proposing an amendment to Section 21 of Article IV of the Constitution of the State of Texas, fixing the salary of the Secretary of State at Six Thousand (\$6,000.00) Dollars a year; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 21 of Article IV of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Section 21. There shall be a Secretary of State, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and who shall continue in office during the term of service of the Governor. He shall authenticate the publication of the laws, and keep a fair register of all official acts and proceedings of the Governor, and shall, when required, lay the same and all papers, minutes and vouchers relative thereto, before the Legislature, or either House thereof, and shall perform such other duties as may be required of him by law. He shall receive for his services an annual salary of Six Thousand (\$6,000.00) Dollars and no more."

Sec. 2. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State on the first Tuesday after the first Monday in November, 1936, at which election all voters favoring said proposed amendment shall scratch off of the ballot with a pen or pencil the following words printed on said ballot: "Against the amendment to the Constitution of the State of Texas fixing the salary of the Secretary of State." And those voters opposing said proposed amendment shall scratch off of the ballot in the same manner the words printed on said ballot: "For the amendment to the State Constitution fixing the salary of the Secretary of State."

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and laws of this State.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

Read and referred to the Committee on Constitutional Amendments.

Senate Resolution No. 21.

Senator Hornsby sent up the following resolution:

Whereas, The members of the Senate and their ladies were honored by Senator Thomas J. Holbrook and the members of the Beach Combers Democratic Club of Galveston with a most excellent sea food dinner, last Thursday evening, in the Marie Antonette Room at the Austin Hotel; and,

Whereas, This was a most delightful occasion and we enjoyed it in the fullest measure and had a great time; therefore, be it

Resolved, by the Senate that we express our sincere appreciation to Senator Holbrook and his constituents from Galveston and heartily thank them for this delightful repast and the pleasures enjoyed by us.

HORNSBY.

Read and adopted unanimously.

Senate Resolution No. 22.

Senate DeBerry sent up the following resolution:

By Senators DeBerry, Poage, Reagan, Woodruff, and Rawlings:

S. R. No. 22, A resolution to amend and adopt Senate Rules for the Forty-fourth Legislature of the State of Texas.

Be It Resolved, by the Senate of the State of Texas, That the Senate Rules of the Forty-third Legislature Numbers 1 to 95, inclusive, as shown on pages 231 to 283, both inclusive, of the Texas Legislative Manual, 1933, with the following amendments and additions be adopted as the permanent Rules of the Texas Senate for the Forty-fourth Legislature:

Senate Rule 11 of the Forty-third Legislature is hereby amended to read as follows:

"11. The President shall then call:

(1) For petitions and memorials.

(2) For reports from standing committees.

(3) For reports from select committees.

(4) For bills.

(5) For resolutions, which shall conclude the morning call (except on House bill days as provided in paragraph 6 following), and which the President shall announce to the Senate.

(6) On Wednesday and Thursday of each week only House bills on their third and second reading, respectively, shall be taken up and considered until disposed of; and in case one should be pending at adjournment on Thursday, it shall go over until the succeeding day, Friday, until disposed of, and it shall require four-fifths of the Senators present to suspend this Rule, which shall, on these days, conclude the morning call, which the President shall announce to the Senate.

(7) For the special order.

(8) For unfinished business.

(9) For business on the President's table, which shall be disposed of in the following order:

(1) Senate resolutions.

(2) Messages and executive communications.

(3) House bills on third reading.

(4) Senate bills on third reading.

(5) House bills on second reading.

(6) Senate bills on second reading.

Senate bills and resolutions with House amendments may be called up at any time as privileged questions."

"11a. Any bill, resolution, or other measure may on any day be made a special order for a future day of the session by an affirmative vote of two-thirds of the members present, and, when once established as a special order, shall be considered from day to day until disposed of.

Rule 65 of the Senate Rules of the Forty-third Legislature shall be renumbered 11b. The rule reads as follows:

"11b. No motion to suspend the Rules for the purpose of considering a bill or resolution out of its order shall be entertained during the morning call."

Senate Rule 12 is hereby amended to read as follows:

"12. A special order shall be considered at a time for which it is set and considered from day to day until disposed of unless at the time so fixed there is pending business under a special order, but such pending business may be suspended by a two-thirds vote of all the members present in order to consider a special order. If a special order is not reached or considered at the time fixed, it shall not lose its place as a special order, provided that any special order shall be subject to Rule 64, providing that the order of business may be postponed or changed by two-thirds vote of all members present."

Senate Rule 15 is hereby amended to read as follows:

"15. No member shall speak more than once in any one debate until every member desiring to do so shall have spoken; nor shall any member speak more than twice in any one debate without leave of the Senate. On joint resolutions and concurrent resolutions appropriating public funds, and bills being considered on the questions of engrossment or final passage and amendments thereto, debate shall be unlimited as to time. On all other subjects, debate shall be limited to thirty minutes, and to ten minutes for any one member, and when any member has spoken for a period of ten minutes, or the total time of thirty minutes permitted has elapsed, it shall be the duty of the Chair to call to order immediately the member occupying the floor."

"16a. Whenever a member is called to order by the President of the Senate or by the presiding officer then in the chair, in accordance with Rule 16 thereof, and such member fails to sit down and be in order, but continues disorderly, it shall be the duty of the Sergeant-at-Arms and/or his assistants upon the direction of the presiding officer to require such recalcitrant member to take his seat and be in order. Any member who persists in disorderly conduct, after being warned by the presiding officer, may, by motion duly made and carried by a two-thirds vote of the members in attendance, be required to purge himself of such misconduct and until such member has purged himself of

such misconduct he shall not be entitled to the privileges of the floor."

Rule 21a is hereby repealed.

Rule 64 is amended to hereafter read as follows:

"64. Any rule or order of the Senate may be rescinded or changed by a two-thirds vote of all the members elected except where otherwise provided by the Constitution, the laws and the Rules of the Senate."

Rule 65. (Original Rule 65 has been re-numbered and is now Rule 11b).

Rule 92 is hereby amended to read as follows:

"92. That persons hereinafter named, and no other, shall be admitted to the Senate Chamber while the Senate is in session, viz:

(1) The members of the Senate and their families, employees of the Senate and House of Representatives when on official business, Representatives, the Governor and his Private Secretary, the Lieutenant Governor and members of his family, the President and Vice-President of the United States, United States Senators and Members of Congress, Governors of other States, Judges of the Supreme Court, and the Courts of Criminal and Civil Appeals. Provided, that the exceptions herein named shall not apply to any person or persons engaged in lobbying.

(2) Reporters of newspapers shall be assigned appropriate and convenient seats in the Senate by direction of the President.

(3) Provided, that no newspaper reporter, or any person whomsoever who is lobbying or working for or against any pending or prospective legislative measure, shall in any event be admitted upon the floor of the Senate or rooms leading thereto when the Senate is in session, nor shall any newspaper reporter, whose salary or compensation is paid in whole or in part by any persons, corporation, firm or association other than the paper or papers for which he reports, be admitted into the halls or rooms leading thereto when the Senate is in session. And, provided further, that such newspaper reporters shall be duly assigned to regularly cover the proceedings of the Senate.

"(4) Every newspaper reporter and correspondent, before being ad-

mitted to the Senate during its session, shall file with the Secretary of the Senate a written statement showing the paper or papers which he represents, and certifying that no part of his salary or compensation is paid, directly or indirectly, by any person, firm, corporation or association except the paper or papers which he represents.

"(5) It shall not be in order for the President to entertain a request, a motion or resolution for the suspension of this Rule or to present from the Chair the request of any member for unanimous consent for such suspension.

"(6) It shall be the duty of the Sergeant-at-Arms and his assistant to clear the Senate Chamber of all persons not entitled to the privileges thereof five minutes before the hour of meetings.

"(7) Provided, that this Rule shall not apply to persons who are invited to address the Senate when in session, nor shall it apply to any person who desires to appear before any committee, while going to or returning from the session of said committee; provided further, that this Rule shall not apply during the inauguration of the Governor and other public ceremonies provided for by resolution of the Senate. All officers and employees of the Senate are prohibited from lobbying in favor of or against any measure or proposition pending before the Senate, and should any officer or employee violate this Rule, the same shall be cause for dismissal from the service of the Senate."

Bills and Resolutions—Introduction, Committee Hearings and Consideration.

(See Article 3, Section 5, of the Constitution.)

96. It shall be in order to introduce bills or resolutions during the first sixty calendar days of the session, and to have the same referred to a proper committee.

97. After the first sixty calendar days of the Regular Session, no bills or resolutions shall be introduced except local bills as hereinafter defined, emergency appropriations, and emergency matters submitted by the Governor in special messages to the Legislature, unless otherwise directed by an affirmative vote of four-

fifths of the membership of the Senate; appointees of the Governor (whether recess appointments or otherwise) may be acted upon at any time during the session.

98. The Constitutional procedure with reference to the introduction, reference to a committee, and the consideration of bills set forth in Article 3, Section 5, of the Constitution, shall not apply to local bills as hereinafter defined, and the same may be introduced, referred, reported, and acted upon at any time under the general Rules and order of business of the Senate.

A local bill is defined for the purposes of this Rule as an Act the provisions of which relate to or affect directly a defined locality, district, or section of the State, but which does not affect directly the State at large, and the operation of which is confined solely to a particular locality, district or section of the State.

99. Local bills, emergency appropriations, acting upon the appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time under the general rules and order of business.

100. Bills and resolutions, other than local bills (as defined in Rule 98), emergency matters submitted by the Governor in special messages to the Legislature, acting upon appointments of the Governor, (whether recess appointments or otherwise), shall not be taken up, considered, or acted upon by the Senate during the first sixty days of the session, except by an affirmative vote of four-fifths of the membership.

101. It shall be in order for committees to consider bills and resolutions at any time during the session, make reports thereon, and file the same with the Senate.

Committee Hearings—Attendance, Record of Proceedings.

102. At all regular or stated meetings of the Senate committees, the chairman shall call the roll of the members and cause to be made a record of those present and the absentees, together with the excuses, if any, of such absentees. This rec-

ord of committee attendance shall be printed in the Senate Journal.

103. The chairman of each committee shall keep, or cause to be kept under his direction, an accurate record of the proceedings of his committee, and the same shall be open for inspection to any member of the Legislature, and to the public.

104. Hearings on bills before any committee shall be open to the public, and reasonable opportunity shall be afforded to interested parties to appear before the committee. However, after such public hearing has been concluded on any bill, the chairman, on his own motion or upon the request of any member of the committee, may direct that action by the committee on any such bill be taken in executive session; provided, further, that a record of such proceedings had in such executive session shall be kept and the same shall be open for public inspection. The chairman shall have authority to call executive sessions of his committee.

105. A majority of any committee shall constitute a quorum, and no action shall be taken upon any bill in the absence of a quorum. At any stated meeting of the committee, if a roll call discloses lack of a quorum, the members present may order the names of the absentees turned over to the Sergeant-at-Arms of the Senate whose duty it shall be to promptly secure the attendance of such absent members. The Sergeant-at-Arms shall have the same authority conferred upon him under the Rules of the Senate as when the Senate is operating under a call.

106. If any member of a committee is absent for three consecutive stated meetings, unexcused by a majority vote of the committee, this fact shall be reported in writing to the Senate by the chairman of the committee, whereupon said member shall stand suspended as a member of such committee unless excused by a two-thirds vote of the Senate, and the President shall proceed to fill the vacancy. A record of such suspension shall be printed in the Journal.

Custodian of Bills and Resolution.

107. The Calendar Clerk shall be the official custodian of the bills and resolutions pending in the Senate.

and the same may not be withdrawn from the custody of such clerk without the consent of the Senate; be it further

Resolved, That the Secretary of the Senate is hereby authorized to have the Manual re-codified, indexed, and printed in sufficient numbers to furnish the officers and members of the Senate with copies thereof, said Manual to contain the Senate Rules as herein amended, the Rules of the House of Representatives, the Texas Constitution, the Joint Rules of both Houses, a roster of the membership and officers of both Houses, and the standing committees of both Houses, and to pay the cost thereof out of the contingent expense fund; be it further

Resolved, That the Secretary of the Senate is hereby authorized to have printed immediately the new Rules of the Senate in a temporary form for the use of the members pending the printing of the official Manual, and to pay the cost thereof out of the contingent fund.

Read and referred to the Committee on Rules.

Motion to Re-refer.

Senator DeBerry moved to re-refer S. R. No. 22 to the Committee of the Whole.

Motion prevailed by viva voce vote.

Committee of the Whole.

Senator Woodruff moved that the morning call having been completed that the Senate resolve itself into the Committee of the Whole to consider S. R. No. 22.

The motion prevailed by viva voce vote.

Called to Order.

The Senate was called to order at 10:45, Senator DeBerry presiding.

Messages From the House.

The Chair, Senator DeBerry presiding, recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Jan. 21, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 28, A bill to be entitled "An Act creating the Special District Court of Rusk County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties, providing for the transfer of cases from the Fourth Judicial District of Rusk County; and from the Special District Court to the Fourth Judicial District of Rusk County; providing for the District Clerk of Rusk County and this successor in office to be the clerk for said Special District Court in said county; providing that the District Attorney of the District Court of Rusk County shall represent the State in said Special District Court in said county, without extra compensation from said Special District Court of said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining section or provisions, and declaring an emergency."

S. B. No. 68, A bill to be entitled "An Act creating the Special District Court of Smith County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor; prescribing his powers and duties, providing for the transfer of cases from the Seventh Judicial District of Smith County; and from the Special District Court to the Seventh Judicial District of Smith County; providing for the district clerk of Smith County and his successor in office to be the clerk for said Special District Court in said county; providing that the district attorney of the District Court of Smith County, and in his absence or inability, the county attorney of Smith County shall represent the State in said Special District Court in said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 21, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following resolutions:

S. C. R. No. 5, Relative to barbecue
at Buchanan Dam.

H. C. R. No. 14, Inviting Will
Rogers to address the Legislature.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following resolutions:

H. C. R. No. 6, Providing for a
committee to draft questionnaire for
members of Legislature, relative to
retainers.

H. C. R. No. 9, Granting Joe B.
Friedel permission to operate a cigar
stand in the Capitol Building.

H. C. R. No. 13, Providing for tak-
ing effect of H. B. No. 7, passed at
Fourth Called Session of the Forty-
third Legislature.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Committee of the Whole.

On motion of Senator Woodruff,
the Senate at 10:47 resolved itself
into the Committee of the Whole
Senate for further consideration of
S. R. No. 22.

Called to Order.

The Chair, President Pro Tem K.
M. Regan, at 11:45 o'clock a. m.
called the Senate to order.

Bills and Resolutions Signed.

The Chair, President Pro Tem K.
M. Regan, gave notice of signing,
and did sign, in the presence of the
Senate, after captions had been read,
the following bills and resolution:

S. B. No. 68. S. B. No. 28.
S. C. R. No. 5.

Senators Excused.

On motion of Senator Hughston,
Senator Davis was excused on ac-
count of important business.

On motion of Senator Westerfeld,

Senator Oneal was excused on ac-
count of important business.

Message From the Governor.

The Chair recognized the Door-
keeper, who introduced a messenger
from the Governor with the follow-
ing message:

Executive Department,

Austin, Texas, Jan. 21, 1935.

To the Senate, Forty-fourth Legisla-
ture, State of Texas.

I ask the advice, consent and con-
firmation by the Senate in the fol-
lowing appointment:

To be Judge of the Special District
Court of Smith County, Texas:

Hon. Nat W. Brooks of Tyler,
Smith County, Texas.

Your early consideration and ad-
vice will be appreciated.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

H. C. R. No. 6.

The Chair laid before the Senate
H. C. R. No. 6, Providing for a com-
mittee to draft questionnaire for
members of Legislature, relative to
retainers.

Senator Rawlings moved that H.
C. R. No. 6 be referred to the Com-
mittee of the Whole, and that the
Committee of the Whole be empow-
ered to summons such witnesses as
it deems proper and necessary and to
act as a court in deciding the matter
referred to in the resolution.

Point of Order.

Senator DeBerry raised the point
of order that the part of the motion
providing for power to summons wit-
nesses, etc., was out of order in that
it was not in writing. That it should
be put in writing with various pro-
visions for consideration by the
Committee of the Whole.

The Chair President Pro Tem.,
K. M. Regan presiding, sustained the
point of order.

Senator Rawlings moved to refer
H. C. R. No. 6 to the Committee of
the Whole.

The motion prevailed by viva voce
vote.

H. C. R. No. 13.

The Chair laid before the Senate
H. C. R. No. 13:

Whereas, H. B. No. 7 passed both Houses of the Legislature at the Fourth Called Session of the Forty-third Legislature, but failed to receive sufficient votes in the Senate to put same into immediate effect; and,

Whereas, By the terms of said Act all penalties and interest are released on taxes delinquent on or before August 1, 1934, if paid on or before March 15, 1935, and as stated in said H. B. No. 7; and,

Whereas, The people of Texas who owe delinquent taxes are entitled to the immediate benefit of said Act releasing interest and penalties thereon; and,

Whereas, There are pending at this time many applications for loans with the Home Owners' Loan Corporation and other loan institutions, and such loans cannot be closed unless and until said interest and penalties on said delinquent taxes are released; and,

Whereas, Section 39 of Article III of the Constitution of the State of Texas provides that laws passed by the Legislature shall take effect and go into force ninety (90) days after the adjournment of the session at which they are enacted, unless in case of an emergency, which emergency must be expressed in a preamble or in the body of the Act, the Legislature shall by a vote of two-thirds of all the members elected to each House otherwise directed; and,

Whereas, The emergency is a part of, and expressed in the body of, said H. B. No. 7; now, therefore, be it

Resolved, that the Legislature, by an affirmative vote of two-thirds of all the members elected to each House, hereby directs that said H. B. No. 7 be in full force and effect from and after the passage of this resolution; the votes thereon to be taken by yeas and nays and entered upon the Journals of the respective Houses; the purpose of this resolution being to put said H. B. No. 7 into immediate effect without waiting for the expiration of the ninety (90) day period immediately following the adjournment of the Fourth Called Session of the Forty-third Legislature; be it further

Resolved, by the Legislature of Texas, That all Tax Collectors of the State, any county, city, school dis-

trict, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State be, and they are hereby directed to follow the directions hereof, and accept payment from all persons of all delinquent ad valorem and poll taxes that were delinquent on August 1, 1934 without paying any of the penalties or interest or costs which were released by the terms of said H. B. No. 7, just as provided in said H. B. No. 7 when this resolution is signed by the Governor and filed in the office of the Secretary of State; and such Tax Collectors shall give proper receipts therefor; and be it further

Resolved, That when this resolution is finally passed, this resolution shall be printed by the Secretary of State and a copy forwarded to each Tax Collector of the various taxing subdivisions of Texas; and be it further

Resolved, That in case any clause sentence or part of this resolution shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this resolution, but such invalidity shall be confined in its operation to the clause, sentence or part thereof directly declared invalid; and be it further

Resolved, That said H. B. No. 7 including this resolution is an emergency measure and such emergency is hereby declared for the reasons herein and in said H. B. No. 7 stated; and on account of such emergency, an imperative public necessity demands that the constitutional rule requiring all bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and said H. B. No. 7 and this resolution shall be in force and take effect from and after the passage hereof, and it is so enacted.

Senator Burns asked unanimous consent to suspend the constitutional rule requiring resolutions be sent to a committee, as to H. C. R. No. 13.

There was objection.

Senator Burns moved that the constitutional rule requiring resolutions to be sent to a committee be suspended and H. C. R. No. 13 be taken up at this time.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—1.

Holbrook.

Absent.

Blackert.	Small.
Martin.	

Absent—Excused.

Davis.	Oneal.
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Senator Hornsby moved the adoption of the resolution.

Motion pending.

Senator Poage sent up the following amendment:

Amend by adding thereto the following:

Nothing herein shall be construed to remit any costs, interest or penalty after June 30, 1935, and is hereby declared to be the policy of the State and the intent of the Legislature not to remit any costs, interest or penalties after June 30, 1935.

POAGE.

Read.

Point of Order.

Senator Rawlings raised the point of order that the Poage amendment to H. C. R. No. 13 was not germane to the resolution.

Pending.

Recess.

On motion of Senator Holbrook, the Senate at 12:25 o'clock p. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was

called to order by President Pro Tem K. M. Regan.

H. C. R. No. 13.

Pending business was Senator Rawlings point of order to H. C. R. No. 13.

Senator Rawlings withdrew his point of order.

The Poage amendment to H. C. R. No. 13 was adopted by viva voce vote.

On motion of Senator Hornsby, H. C. R. No. 13, as amended, was adopted by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Davis.	Oneal.
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H. C. R. No. 14.

The Chair laid before the Senate H. C. R. No. 14, Inviting Will Rogers to address the Legislature.

Senator Rawlings asked unanimous consent to suspend the constitutional rule requiring resolutions be referred to a committee, and H. C. R. No. 14 taken up at this time.

Unanimous consent was granted.

On motion of Senator Rawlings H. C. R. No. 14 was adopted by viva voce vote.

H. C. R. No. 9.

The Chair laid before the Senate H. C. R. No. 9, Granting Joe B. Frel-del permission to operate a cigar stand in the Capitol Building.

Read and referred to the Committee on Public Health.

At Ease.

On motion of Senator Rawlings the Senate at 2:10 o'clock p. m., stood at ease, subject to the call of the Chair.

Call to Order.

The Chair, President Pro Tem K. M. Regan, called the Senate to order at 2:15 o'clock p. m.

Request for Executive Session.

Senator Blackert asked unanimous consent of the Senate to order an Executive Session to consider the nomination of Hon. Nat W. Brooks to be Judge of the Special District Court of Smith County, Texas.

Unanimous consent was granted.

Executive Session.

On motion of Senator Blackert the Senate at 2:20 o'clock p. m., went into Executive Session to consider Governor's nomination.

After Executive Session.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,
Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following nomination: To be Judge of the Special District Court of Smith County, Texas:

Hon. Nat W. Brooks of Tyler, Smith County, Texas,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that the above named person for the above named position be in all things confirmed.

BLACKERT, Vice-Chairman.

Adopted.

Senate Bill No. 109.

Senator Beck asked unanimous consent to take up S. B. No. 109.

Unanimous consent was granted.

The Chair laid before the Senate on its second reading.

By Senator Beck:

S. B. No. 109, A bill to be entitled "An Act providing that in counties having a population of more than 48,000 as shown by the Federal census of 1930, and containing a city of more than 10,000 population, as shown by the Federal census of 1930, located in a justice precinct other than that in which is located the

county site in such county, the sheriff of such county may appoint as many deputies as the commissioners' court of such county may deem necessary, and declaring an emergency."

On motion of Senator Beck the rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 109 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Davis. Oneal.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Davis. Oneal.

Senate Bill No. 57.

Senator Hornsby moved that the constitutional rule requiring bills to lie over 30 days before consideration by a committee be suspended as to S. B. No. 57.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Davis. Oneal.

Senate Bills No. 78 and 79.

Senator Sulak moved to suspend the constitutional rule requiring bills to lie over 30 days before consideration by a committee as relates to S. B. No. 78 and S. B. No. 79 and same be reported back within the next 24 hours.

The motion prevailed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Present—Not Voting.

Collie. DeBerry.

Absent—Excused.

Davis. Oneal.

Adjournment.

On motion of Senator Van Zandt the Senate at 2:45 o'clock p. m., adjourned until 10:00 o'clock a. m. Tuesday.

APPENDIX.

Committee Report.

Committee Room,

Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on County and County Boundaries, to whom was referred

S. B. No. 109, A bill to be entitled "An Act providing that in counties having a population of more than 4,000 as shown by the Federal census of 1930, and containing a city of more than 10,000 population, as shown by the Federal census of 1930 located in a justice precinct other than that in which is located the county site in such county, the sheriff of such county may appoint as many deputies as the commissioners' court of such county may deem necessary, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments and be not printed.

FELLBAUM, Chairman.

Committee Amendment No. 1.

Amend by striking out the figures 10,000 in line three of Section 1 and inserting in lieu thereof the figures 15,000.

Also strike out the figures 10,000 in Section 2, line five and inserting in lieu thereof the figures 15,000.

Committee Amendment No. 2.

Amendment to strike out the figure 10,000 where it appears in the caption of the bill, and inserting in lieu thereof the figure 15,000.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 109 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 28, carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 5 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of The Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 68, carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 28 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee of the Whole Senate.

Committee Room,

Austin, Texas, Jan. 21, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We your Committee of the Whole Senate, to whom was referred S. R. No. 22, To amend and adopt Senate rules for the Forty-fourth Legislature of the State of Texas.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

DeBERRY, Chairman.

TENTH DAY.

Senate Chamber,

Austin, Texas,

January 22, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Davis.

Oneal.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

S. C. R. No. 6.

Senator Shivers sent up the following resolution:

Whereas, In Texas today, there are several thousand men who, during the World War, gave of their time and a great sacrifice to their families, as well as themselves, to fight in a war to make this world safe for Democracy; and

Whereas, There are thousands of these ex-soldiers in Texas today who are facing starvation, poverty, and want because of the economic situation which is slowly adjusting itself throughout Texas and the United States; and

Whereas, These ex-soldiers rendered to the State of Texas and the United States Government a service that cannot be valued; and

Whereas, The United States Congress has appropriated millions of